



One Hundred First Legislature - Second Session - 2010
Introducer's Statement of Intent
LB 858

Chairperson: Tim Gay
Committee: Health and Human Services
Date of Hearing: February 10, 2010

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 858 amends portions of the Nebraska statutes concerning civil rights for disabled persons and their service animals. These changes are needed to bring Nebraska's service animal statutes in compliance with the increased use of service animals for all types of disabilities.

* Section 20-126 is amended to expand the statutory policy statement concerning the rights of the disabled to include "mobility-impaired or otherwise disabled persons".

* Section 20-126, subsection 1 is amended to expand the definition of physically disabled person in to include "mobility impairment".

*Section 20-127, subsections 1, 2 and 3 are amended to add "mobility-impaired, or otherwise disabled". In addition, new language is added allowing a mobility-impaired or otherwise disabled person to be accompanied by a service animal in general public places as listed in subsections 1 and 2; to allow a trainer to be accompanied by a service animal in training in general public places as listed in subsections 1 and 2; to allow a trainer who is part of a three-unit service animal team to conduct continuing training of the service animal in general public places as listed in subsections 1 and 2; and a new subsection 5 is added which defines a "three-unit service animal team as a team consisting of a service animal or a service animal in training, a disabled person, and a person who is an adult and has been trained to handle the service animal."

*Section 20-129, Subsections 1 and 2 are amended to clarify that anyone who interferes with the rights of a disabled person to enjoy general public places is guilty of a Class III misdemeanor; and anyone who interferes with the rights of a trainer of a service animal is also guilty of a Class III misdemeanor.

*Section 20-131.02, Subsections 1, 2 and Section 20-131.04 are amended to clarify that, in addition to partially or totally blind persons, hearing-impaired persons and physically disabled persons, mobility-impaired or otherwise disabled persons are entitled to have a service animal and still have full and equal access to all housing accommodations without being required to pay extra compensation for the service animal.

*Section 28-1009.01, Subsections 1, 2 and 3 are amended to include "a mobility-impaired person, or an otherwise disabled person." These subsections prohibit any violence, injury, harassment or threat to a service animal. Subsection 4 (d) is added to provide a definition of mobility-impaired person. Violence on or interference with a service animal remains a Class III misdemeanor.

Principal Introducer:

_____ **Senator Kate Sullivan**